

Respectfully submitted,

/s/ C. Michael Moore

C. Michael Moore

State Bar No. 14323600

c.michael.moore@dentons.com

Kelley C. Cox

State Bar No. 24092291

kelley.cox@dentons.com

Dentons US LLP

2000 McKinney Avenue, Suite 1900

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(214) 259-0900 -- *Telephone*

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Alan H. Silberman

State bar No. 2603721

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233 South Wacker Drive, Suite 5900

Chicago, IL 60606-6361

(312) 876-8000 -- *Telephone*

(312) 876-7934 -- *Facsimile*

***ATTORNEYS FOR DEFENDANT
PELLA CORPORATION.***

EXHIBIT

PETITION: SMALL CLAIMS CASE

CASE NUMBER (Court Use Only): 31-SC-16-00050

Plaintiff(s): George Morris
 Address: POB 864091
Plano TX 75086
 City State Zip Phone

VS.

Defendant(s): Restored Investments LLC
 By Serving: Diane M. Ferrante
 Phone: 214-263-4880
 Address: 2300 Pinehurst Dr
Flower Mound TX 75028 Denton
 City State Zip County

IN THE JUSTICE COURT

JUSTICE OF THE PEACE
PRECINCT 3-1

COLLIN COUNTY, TEXAS

Service: Denton County Sheriff
 #75-JA-4 : 972-434-3980
 217 N. Oak St.
 Roanoke TX 76262

COMPLAINT: The basis for the claim which entitles the plaintiff to seek relief against the defendant is:

Defendant placed 5 sales calls to plaintiff's Do Not Call (DNC)
list registered phone number in violation of the Telephone Consumer
Protection Act (TCPA). These calls were willful violations of the
law & plaintiff seeks \$1500 damages per call.

RELIEF: Plaintiff seeks damages in the amount of \$ 7500⁰⁰, and/or return of personal property as described as follows (be specific): n/a, which has a value of \$ n/a.
 Additionally, plaintiff seeks the following: Court fees of \$41 + \$75 + \$75

SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are:

☐ If you wish to give your consent for the answer and any other motions or pleadings to be sent to your email address, please check this box, and provide your valid email address:

George Morris
 Petitioner's Printed Name

JWM
 Signature of Plaintiff or Attorney

PO Box 864091
 Address of Plaintiff or Attorney

Plano TX 75086
 City State Zip

Ø
 Phone Number/Fax Number

I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE RECORDS OF THE JUSTICE COURT OF THE PEACE COURT PCT. THREE PLACE ONE OF COLLIN COUNTY, TEXAS AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF THE COURT.

920 East Park Blvd, Ste 200, Plano, TX 75075 Ph#972-881-3001; Fax#972-881-3157; email: jp3_1admin@collincourttx.gov

CLERK OF COURT
 JUSTICE COURT PCT. 3-1
 COLLIN COUNTY, TEXAS

FILED
 2016 FEB 19 PM 3:10
 JUSTICE COURT PCT 3-1
 BY CLERK

PETITION: SMALL CLAIMS CASE

CASE NUMBER (Court Use Only): 31-SC- 16-00050

Plaintiff(s): _____

Address: _____

City

State

Zip

Phone

VS.

2nd Defendant(s):

Pella Corporation

By Serving: Corporation Service Company

Phone: 866-403-5272

Address: 211 E 7th St, Suite 620

Austin

TX

78701-3218

City

State

Zip

County

IN THE JUSTICE COURT

JUSTICE OF THE PEACE
PRECINCT 3-1

COLLIN COUNTY, TEXAS

Service:

Constable Carlos Lopez

PO Box 1748

Austin TX 78767

COMPLAINT: The basis for the claim which entitles the plaintiff to seek relief against the defendant is:

See 1st sheet.

RELIEF: Plaintiff seeks damages in the amount of \$ _____, and/or return of personal property as described as follows (be specific): _____, which has a value of \$ _____.

Additionally, plaintiff seeks the following: _____

SERVICE OF CITATION: Service is requested on defendants by personal service at home or work or by alternative service as allowed by the Texas Justice Court Rules of Court. Other addresses where the defendant(s) may be served are: _____

☐ If you wish to give your consent for the answer and any other motions or pleadings to be sent to your email address, please check this box, and provide your valid email address: _____

George Morris

Petitioner's Printed Name

gmm

Signature of Plaintiff or Attorney

PO Box 864091

Address of Plaintiff or Attorney

Plano

TX

75086

City

State

Zip

Phone Number/Fax Number

EXHIBIT

2

CASE NO. 31 SC 16-00050AFFIDAVIT SECTION 201 (b)

Plaintiff being duly sworn on oath deposes and says that defendant (s):

(Please check the ONE that applies, sign below as Plaintiff and have this form Notarized)1st Defendant
Restored
Investments

- ☐ is NOT in the military.
- ☐ is NOT on active duty in the military and/or
- ☐ is NOT in a foreign country on military service.
- ☐ is on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003.
- ☐ defendant has waived his rights under the Servicemembers Civil Relief Act of 2003.
- ☒ military status is unknown at this time.

BY CLERK

2016 FEB 19 PM 3:10
JUSTICE COURT PCT 3-1


FILED


 PLAINTIFF
Sworn to and subscribed before me on the 19th day of Feb., 2016STATE OF TEXAS
COUNTY OF COLLIN

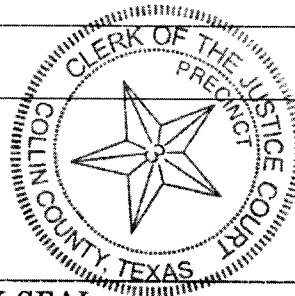
NOTARY PUBLIC SIGNATURE

SEAL

OR


 CLERK OF THE COURT

CLERK SEAL



Penalty for making or using false affidavit -- a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in the Title 18 United States Code, or imprisoned for not more than one year, or both.

CASE NO. 31-31 SC 16 00050

AFFIDAVIT SECTION 201 (b)

Plaintiff being duly sworn on oath deposes and says that defendant (s):

2nd Defendant: (Please check the ONE that applies, sign below as Plaintiff
Pella Corp- and have this form Notarized)

- ☐ is NOT in the military.
- ☐ is NOT on active duty in the military and/or
- ☐ is NOT in a foreign country on military service.
- ☐ is on active military duty and/or is subject to the Servicemembers Civil Relief Act of 2003.
- ☐ defendant has waived his rights under the Servicemembers Civil Relief Act of 2003.
- ☒ military status is unknown at this time.

FILED
2016 FEB 19 PM 3:10
JUSTICE COURT PCT 3-1
BY CLERK

gmm

PLAINTIFF

Sworn to and subscribed before me on the 19 day of Feb., 2016

STATE OF TEXAS
COUNTY OF COLLIN

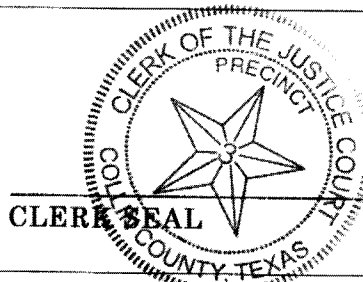
NOTARY PUBLIC SIGNATURE

SEAL

OR

Bg

CLERK OF THE COURT



Penalty for making or using false affidavit -- a person who makes or uses an affidavit knowing it to be false, shall be fined as provided in the Title 18 United States Code, or imprisoned for not more than one year, or both.

EXHIBIT

3

JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

CAUSE NUMBER (FOR CLERK USE ONLY): 31 SC 16-16-00050

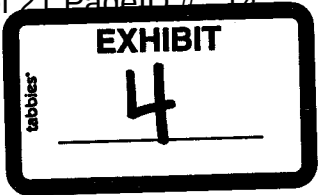
STYLED

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

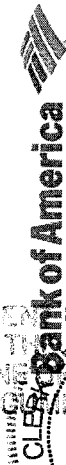
A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet: Name: <u>George Morris</u> Telephone: <u>Ø</u> Address: <u>PO Box 864091</u> Fax: <u>Ø</u> City/State/Zip: <u>Plano TX 75086</u> State Bar No: <u>Ø</u> Email: <u>DNC.Violations@gmail.com</u> Signature: <u>gm</u>		2. Names of parties in case: Plaintiff(s): <u>George Morris</u> Defendant(s): <u>Restored Investments LLC</u> <u>&</u> <u>Pella Corporation</u> [Attach additional page as necessary to list all parties]	
3. Indicate case type, or identify the most important issue in the case (select only 1):			
<input type="checkbox"/> Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.		<input type="checkbox"/> Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	
<input type="checkbox"/> Repair and Remedy: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.		<input checked="" type="checkbox"/> Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	

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 2016 FEB 19 PM 3:10
 JUSTICE COURT PCT 1-1

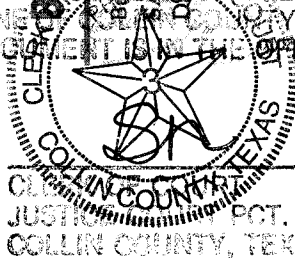


I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE RECORDS OF THE COURT FOR THE COUNTY OF COLLIN, TEXAS. THREE PLACE ONE IN THE COURT FILE AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF THE CLERK OF THE COURT.



Personal Money Order

No. 1674603231



Void After 90 Days

30-1/1340
NTX

Date 02/18/16 03:34:01 PM



Pay

To the Order of Denton County Sheriff

***\$75.00

Not Valid Over \$1,000

gmm

Signature of Purchaser (Drawer)
George Morris - Re: Rattred Invest.

Name of Purchaser (Drawer)
POB 86401 Plano TX 75086

Address
City, State, Zip

PLANO

0081

0006300

Bank of America is not liable for lost or stolen Money Orders. For your protection against loss or theft, sign and complete this Money Order as soon as possible.

⑈1674603231⑈ ⑆114000019⑆ 001641003771⑈

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENTS.

Cause No. 31-SC-16-00050

GEORGE MORRIS	§	IN THE JUSTICE COURT
VS.	§	PRECINCT 3, PLACE 1
RESTORED INVESTMENTS LLC	§	COLLIN COUNTY, TEXAS
BY SERVING DIANE M		
FERRANTE		
2300 PINEHURST DR		
FLWOER MOUND TX 75028		

THE STATE OF TEXAS TO RESTORED INVESTMENTS LLC; PELLA CORPORATION,
DEFENDANT, in the hereinafter-styled and numbered cause:

You have been sued. You may employ an attorney to help you in defending against this lawsuit. But you are not required to employ an attorney. You or your attorney must file an answer with the court. Your answer is due by the end of the 14th day after the day you were served with these papers. If the 14th day is a Saturday, Sunday, or legal holiday, your answer is due by the end of the first day following the 14th day that is not a Saturday, Sunday, or legal holiday. Do not ignore these papers. If you do not file an answer by the due date, a default judgment may be taken against you. For further information, consult Part V of the Texas Rules of Civil Procedure, which is available online and also at the court listed on this citation.

This citation is issued pursuant to a petition filed by the above-named plaintiff on February 19, 2016.

Your answer may be filed with this court, located at 920 East Park Boulevard, Suite 220
Plano Texas 75074.

ISSUED this the 29th day of February, 2016.



Chuck Ruckel
Justice of the Peace,
Precinct 3, Place 1
Collin County, Texas

EXHIBIT

5

Bank of America

Personal Money Order

No. 1674603230

Bank of America, N.A.

SAN ANTONIO, TX

Date 02/18/16 03:34:01 PM

Void After 90 Days

30-1/1340

NTX

Pay



***\$75.00

To The
Order Of

Constable Carlos Lopez

Not Valid Over \$1,000

0003 0006300 0081

PLANO

Bank of America is not liable for lost or stolen Money Orders. For your protection
sign, date or theft, sign and complete this Money Order as soon as possible.

Signature of Purchaser (Drawer)

George Morris - Re: Pella Corp.

Name of Purchaser (Drawer)

POB 864091 Plano TX 75086

Address

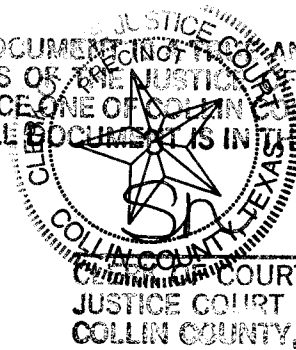
City, State, Zip

⑈ 1674603230⑈ ⑆ 111000019⑆ 00164100377⑈

ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. ■ HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENTS.

00-53-3364B 11-2010

NOTIFY THAT THIS DOCUMENT IS NOT A RECORD AND CORRECT
 COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE
 COURT PCT. THREE PLACE ONE OF COLLIN COUNTY, TEXAS
 AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF
 THE COURT.



Cause No. 31-SC-16-00050

GEORGE MORRIS	§	IN THE JUSTICE COURT
VS.	§	PRECINCT 3, PLACE 1
PELLA CORPORATION	§	COLLIN COUNTY, TEXAS
BY SERVING CORPORATION		
SERVICE COMPANY		
211 E 7TH ST, STE 620		
AUSTIN, TX 78701-3218		

THE STATE OF TEXAS TO RESTORED INVESTMENTS LLC; PELLA CORPORATION,
DEFENDANT, in the hereinafter-styled and numbered cause:

You have been sued. You may employ an attorney to help you in defending against this lawsuit. But you are not required to employ an attorney. You or your attorney must file an answer with the court. Your answer is due by the end of the 14th day after the day you were served with these papers. If the 14th day is a Saturday, Sunday, or legal holiday, your answer is due by the end of the first day following the 14th day that is not a Saturday, Sunday, or legal holiday. Do not ignore these papers. If you do not file an answer by the due date, a default judgment may be taken against you. For further information, consult Part V of the Texas Rules of Civil Procedure, which is available online and also at the court listed on this citation.

This citation is issued pursuant to a petition filed by the above-named plaintiff on February 19, 2016.

Your answer may be filed with this court, located at 920 East Park Boulevard, Suite 220
Plano Texas 75074.

ISSUED this the 29th day of February, 2016.



Chuck Ruckel
Justice of the Peace,
Precinct 3, Place 1
Collin County, Texas

EXHIBIT

6

Cause No.: 31SC1600050

Plaintiff:
GEORGE MORRIS

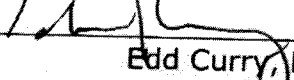
Defendant:
PELLA CORPORATION

In the Justice Court 3-1
COLLIN County

Officer's Return

Came to hand March 02, 2016 at 10:28 A.M. and executed in Travis County, Texas, on March 02, 2016 at 2:41 P.M. by delivering to RESTORED INVESTMENTS LLC; PELLA CORPORATION by delivering to its registered agent, Corporation Service Company d/b/a CSC Lawyers Incorporating Service Company, at 211 E. 7th Street, Suite 620, Austin, Texas 78701, by delivering to SUE VERTREES, designated agent for service, a true copy of the citation together with an accompanying copy of the plaintiff's petition.

Carlos B. Lopez,
Travis County Constable Precinct 5
Travis County, Texas

by: 
Edd Curry, Deputy

FILED

2016 MAR -8 AM 7:58

JUSTICE COURT PCT 3-1

BY CLERK

I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE RECORDS OF THE JUSTICE COURT OF THE PEACE COURT PCT. THREE PLACE ONE OF COLLIN COUNTY, TEXAS AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF THE COURT.



CLERK OF COURT
JUSTICE COURT PCT. 3-1
COLLIN COUNTY, TEXAS



Carlos B. Lopez, Constable
Travis County Constable Precinct 5
1003 Guadalupe
Austin, Texas 78701
March 03, 2016

JUSTICE COURT #3-2 COLLIN
920 E PARK BLVD STE 220
PLANO, TX 75074

INVOICE

Cause Nbr: 31SC1600050-1
Plaintiff: GEORGE MORRIS
Service Name: PELLA CORPORATION

Service Fee: 75.00
Payment Received: 75.00
Balance Due: 0.00

Thank you for allowing us to be of service to you in this case.

FILED

2016 MAR -8 AM 7:58

JUSTICE COURT PCT 3-1

BY CLERK _____

Check the status of your civil process at
www.Constable5.com
Be sure to bookmark the ServiceCheck page

Cause No. 31-SC-16-00050

GEORGE MORRIS

VS.

PELLA CORPORATION
BY SERVING CORPORATION
SERVICE COMPANY
211 E 7TH ST, STE 620
AUSTIN, TX 78701-3218

§

§

§

IN THE JUSTICE COURT
PRECINCT 3, PLACE 1
COLLIN COUNTY, TEXAS

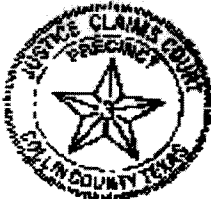
THE STATE OF TEXAS TO RESTORED INVESTMENTS LLC; PELLA CORPORATION,
DEFENDANT, in the hereinafter-styled and numbered cause:

You have been sued. You may employ an attorney to help you in defending against this lawsuit. But you are not required to employ an attorney. You or your attorney must file an answer with the court. Your answer is due by the end of the 14th day after the day you were served with these papers. If the 14th day is a Saturday, Sunday, or legal holiday, your answer is due by the end of the first day following the 14th day that is not a Saturday, Sunday, or legal holiday. Do not ignore these papers. If you do not file an answer by the due date, a default judgment may be taken against you. For further information, consult Part V of the Texas Rules of Civil Procedure, which is available online and also at the court listed on this citation.

This citation is issued pursuant to a petition filed by the above-named plaintiff on February 19, 2016.

Your answer may be filed with this court, located at 920 East Park Boulevard, Suite 220
Plano Texas 75074.

ISSUED this the 29th day of February, 2016.



Chuck Ruckel
Chuck Ruckel
Justice of the Peace,
Precinct 3, Place 1
Collin County, Texas

Carlos B. Lopez
Constable Pct. 5, Travis County, Texas



920 East Park Blvd, Ste 220, Plano, Texas Ph#972-881-3001 Fax#972-881-3157
Website: www.collincountytx.gov Email: JP3_1admin@collincountytx.gov

pd \$75.00 #1674603230

BY CLERK

JUSTICE COURT PCT 3-1

RECEIVED

2016 MAR -8 AM 7:58 82:10 HW 2-JAY9102

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CONSTABLE PRECINCT 5
TRAVIS COUNTY, TEXAS

Respectfully submitted,

/s/ Kelley C. Cox

Kelley C. Cox
State Bar No. 24092291
kelley.cox@dentons.com
Dentons US LLP
2000 McKinney Avenue, Suite 1900
Dallas, TX 75201-1858
(214) 259-0900 -- *Telephone*
(214) 259-0910 -- *Facsimile*

**ATTORNEY FOR DEFENDANT
PELLA CORPORATION**

BY CLERK _____

2016 MAR 16 PM 1:01
JUSTICE COURT PCT 3-1

FILED

CERTIFICATE OF SERVICE

I certify that on March 16, 2016, the foregoing document was served via United States mail and email upon the following:

George Morris
P.O. Box 864091
Plano, Texas 75086
DNC.Violations@gmail.com

Todd Albin
Albin Roach, PLLC
5665 Dallas Parkway, Suite 200
Frisco, TX 75034
Phone: 214-423-5100
talbin@albinroach.com
***Counsel for Co-Defendant,
Restored Investments, LLC***

BY CLERK _____

2016 MAR 16 PM 1:01
JUSTICE COURT PCT 3-1

FILED

/s/ Kelley C. Cox

DENTONS

Dentons US LLP
2000 McKinney Avenue
Suite 1900
Dallas, TX 75201-1658 USA

T +1 214 259 0800
F +1 214 259 0810

FAX TRANSMISSION

Total pages including this cover sheet: **4**

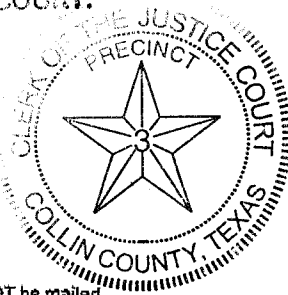
T: **972.881.3001**
F: **972.881.3157**

To: **Clerk, Collin County, Precinct No. 3-1**
From: **Kelley Cox**

Original Answer

Cause No. 31-SC-16-00050

I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE COURT PCT. THREE PLACE ONE OF COLLIN COUNTY, TEXAS AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF THE COURT.



N. Bloch
CLERK OF COURT
JUSTICE COURT PCT. 3-1
COLLIN COUNTY, TEXAS

BY CLERK

JUSTICE COURT PCT 3-1

2016 MAR 16 PM 1:01

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Original will NOT be mailed

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CAUSE NO. 31-SC-16-00050

GEORGE MORRIS,

Plaintiff,

v.

**RESTORED INVESTMENTS,
LLC; PELLA CORPORATION,
Defendants.**

§
§
§
§
§
§
§
§
§
§

JUSTICE OF THE PEACE

PRECINCT NO. 3-1

COLLIN COUNTY, TEXAS

DEFENDANT'S ORIGINAL ANSWER

NOW COMES Defendant, Restored Investments, LLC, named Defendant in the above-entitled and numbered cause, and files this Original Answer, and shows the Court:

GENERAL DENIAL

Defendant denies each and every allegation of Plaintiff's Original Petition, and demands strict proof thereof as required by the Texas Rules of Civil Procedure.

PRAYER

Defendant prays the Court, after notice and hearing or trial, enters judgment in favor of Defendant, awards Defendant the costs of court, attorney's fees, and such other and further relief as Defendant may be entitled to in law or in equity.



Respectfully submitted,

Albin Roach, PLLC

By: /s/ W. Todd Albin

W. Todd Albin

Texas Bar No. 00795214

Email: talbin@albinroach.com

5665 Dallas Parkway Suite 200

Frisco, TX 75034

Tel. (214) 423-5100

Fax. (214) 423-5111

***ATTORNEY FOR DEFENDANT
RESTORED INVESTMENTS***

CERTIFICATE OF SERVICE

I certify that on March 21, 2016, the foregoing document was served via United States mail and email upon the following:

George Morris
P.O. Box 864091
Plano, Texas 75086
DNC.Violations@gmail.com

Kelley C. Cox
Dentons US LLP
2000 McKinney Avenue, Suite 1900
Dallas, Texas 75201-1858
Phone: (214) 259-0900
Kelley.cox@dentons.com
***Counsel for Co-Defendant,
Pella Corporation***

/s/ W. Todd Albin

W. Todd Albin